



## Michigan Supreme Court

State Court Administrative Office

### Trial Court Services Division

Michigan Hall of Justice

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Jennifer Warner  
Director

## MEMORANDUM

DATE: January 13, 2016

TO: Judges  
Court Administrators  
District Court Magistrates  
Clerks of the Court

FROM: Noah A. Bradow, Management Analyst

RE: Recommended Range of Civil Fines and Costs for First-Time Civil Infractions

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The following schedule of recommended ranges of civil fines and costs for first-time civil infractions is published and distributed by the state court administrator pursuant to MCL 257.907(8). These recommendations are “intended to act as a normative guide for judges and district court magistrates and as a basis for public evaluation of disparities in the imposition of civil fines and costs throughout the state.” Shaded fields indicate areas that are controlled in some way by statute – a minimum, maximum, or mandatory amount. Please refer to the notes on page 6 for specific information regarding those fields. Column contents are also explained on page 6.

Changes in the 2015 schedule include:

- The addition of “Quadricycle Violations” on page 3.
- The correction of maximum costs from \$118 to \$100 for the following offenses: CMV Disregard Traffic Control Device at RR, CMV Disobey Enforcement Official at RR, and CMV Fail to Obey RR Crossing Restrictions. MCL 257.907(4) limits maximum costs to \$100.
- The elimination of reference to violation of 257.619g on page 6. The statute referenced does not exist.
- The addition of footnote 17 on page 6. This footnote indicates that pursuant to MCL 257.907(16), the maximum fine for a violation arising out of the ownership or operation of a quadricycle is \$500.

MCL 257.907(4) prohibits the assessment of costs unless a fine has been ordered, and prohibits the waiver of assessed fines unless the costs are also waived. “Costs imposed must reasonably relate to the costs of the prosecution of a civil infraction violation and cannot include the costs of the daily operation of the courts. . . .” *Saginaw Public Libraries v Judges of the 70th District Court*, 118 Mich App 379, 389 (1982). A range of costs has been recommended to allow for variable factors.

Each court is encouraged to prepare its own schedule of fines and costs that reflects all direct and indirect expenses of the plaintiff. Additional costs incurred by the plaintiff because of multiple appearances or accidents can be added to the scheduled amount. Costs shall not be ordered in excess of \$100, pursuant to MCL 257.907(4). Fifty-six days after any amount due and owing remains unpaid, courts must impose a late penalty equal to 20 percent of the outstanding amount, pursuant to MCL 600.4803.

Each court that establishes a schedule of fines and costs must prominently post it and make it readily available for public inspection, pursuant to MCL 257.907(7).

This schedule should be distributed to judges, court administrators, district court magistrates, and other appropriate parties. The current schedule is posted on our [Fines, Fees, Costs, and Rates](#) web page, or you can click [here](#) to go directly to the document.

If you have any questions concerning these recommendations, please contact Bobbi Morrow at [MorrowB@courts.mi.gov](mailto:MorrowB@courts.mi.gov) 517-373-2173 or Michele Muscat at [MuscatM@courts.mi.gov](mailto:MuscatM@courts.mi.gov) 517-373-2621.